



सत्यमेव जयते
PUBLISHED BY AUTHORITY

No. 28]

NEW DELHI, SATURDAY, JULY 12, 1952

NOTICE

The undermentioned Gazettes of India Extraordinary were published during the week ending the 8th July 1952:—

Issue No.	No. and date	Issued by	Subject
275	No. 69-ITC(P.N.)/52, dated the 27th June 1952.	Ministry of Commerce and Industry.	Import of sports goods.
276	Nos. BY-P/52(41), BY-P/52(42), dated the 26th June 1952.	Election Commission, India.	Removal of disqualifications of certain candidates by the Election Commission.
277	Nos. F. 32(10)/52-C, F. 4(1)/52-C., F. 32(1)/52-C., F-32(4)/52-C., F. 32(7)/52-C, F. 32(21)/52-C. and F. 32(15)/52-C., dated the 28th June 1952.	Ministry of Law.	Notices regarding election expenses of certain candidates from various constituencies in different States.
278	Nos. UP-CS/52(1), UP-CS/52(2), TC-P-52(11), MB-P/52(15), MB-P/52(16), MB-P/52(17), VP-A/52(33), BR-P/52(47) and BR-P/52(48), dated the 30th June 1952.	Election Commission, India.	Disqualifications and removal of disqualifications of certain candidates who failed to lodge the returns of election expenses from various constituencies.
279	No. F. 12(3)/52-C., dated the 30th June 1952.	Ministry of Law.	Declaration regarding elected candidate in the Aruppukottai Constituency of the House of the People.
280	No. 70-ITC(PN)/52, dated the 30th June 1952.	Ministry of Commerce and Industry.	Determination of policy for items for which policy has not yet been announced in the 'Red Book' for the period July-December 1952.
281	No. 73-T(3)/52, dated the 1st July 1952.	Ditto.	Schedule showing the Revised Tariff Values with effect from the 1st July 1952.
282	Nos. VP-P/52(9), PB-P/52(19), PB-P/52(20), BY-P/52(44) and MY-P/52(7), dated the 30th June 1952.	Election Commission, India.	Removal of disqualifications of certain candidates by the Election Commission.
283	No. 71-ITC(P.N.)/52, dated the 1st July 1952.	Ministry of Commerce and Industry.	Licensing Policy for July-December 1952—Diesel Engines.
284	No. VP-A/52(19), dated the 1st July 1952.	Election Commission, India.	Removal of disqualifications of a candidate by the Election Commission.
	Nos. VP-A/52(53), MB-P/52(17), MB-P/52(18), AJ-A/52(21), AJ-A/52(22), BY-P/52(49), BY-P/52(50) and BY-P/52(54), dated the 2nd July 1952.	Ditto.	Removal of disqualifications of certain candidates by the Election Commission.
285	No. 289-Eur-I/52, dated the 3rd July 1952.	Ministry of External Affairs.	Constitution of an Advisory Council for Chandernagore.
	No. 290-Eur-I/52, dated the 3rd July 1952.	Ditto.	Chandernagore (Advisory Council) Rules, 1952.
286	Nos. RN-P/52(21), HY-P/52(24), VP-A/52(32), BY-P/52(47), BY-P/52(48), BY-P/52(52), BY-P/52(53) and BY-P/52(55), dated the 3rd July 1952.	Election Commission, India.	Removal of disqualifications of certain candidates by the Election Commission.
	No. BY-P/52(51), dated the 3rd July 1952.	Ditto.	Corrigendum to the Notification No. BY-P/52(26), dated the 18th April 1952.

Copies of the Gazettes Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi, Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

CONTENTS

	PAGES		PAGES
PART I—SECTION 1.—Notifications relating to Non-Statutory Rules, Regulations and Orders and Resolutions issued by the Ministries of the Government of India (other than the Ministry of Defence) and by the Supreme Court ...	319—325	PART III—SECTION 1.—Notifications issued by the Auditor General, Union Public Service Commission, Railway Administrations, High Courts, and the Attached and Subordinate offices of the Government of India (<i>Published at Simla</i>) ...	297—308
PART I—SECTION 2.—Notifications regarding Appointments, Promotions, Leave, etc., of Government Officers issued by the Ministries of the Government of India (other than the Ministry of Defence) and by the Supreme Court ...	221—228	PART III—SECTION 2.—Notifications and Notices issued by the Patent Office, Calcutta (<i>Published at Simla</i>) ...	115—119
PART I—SECTION 3.—Notifications relating to Non-Statutory Rules, Regulations, Orders and Resolutions issued by the Ministry of Defence ...	73	PART III—SECTION 3.—Notifications issued by or under the authority of Chief Commissioners (<i>Published at Simla</i>) ...	759—776
PART I—SECTION 4.—Notifications regarding Appointments, Promotions, Leave, etc., of Officers issued by the Ministry of Defence ...	145—150	PART III—SECTION 4.—Miscellaneous Notifications (<i>Published at Simla</i>) ...	107
PART II—SECTION 1.—Acts, Ordinances and Regulations ...	Nil	PART IV—Advertisements and Notices by Private individuals and Corporations (<i>Published at Simla</i>) ...	93—94
PART II—SECTION 2.—Bills and Reports of Select Committees on Bills ...	239—243	SUPPLEMENT No. 28—	
PART II—SECTION 3.—Statutory Rules and Orders notified by the Ministries of the Government of India, other than the Ministry of Defence, and Central Authorities, other than the Chief Commissioners ...	1033—	Reported attacks and deaths from cholera, small-pox, plague and typhus in districts in India during the week ending 14th June 1952 ...	513—517
PART II—SECTION 4.—Statutory Rules and Orders notified by the Ministry of Defence ...	101	Births and deaths from principal diseases in towns with a population over 30,000 in India during the week ending 14th June 1952 ...	518—524

PART I—Section 1

Notifications relating to Non-Statutory Rules, Regulations and Orders and Resolutions issued by the Ministries of the Government of India (other than the Ministry of Defence) and by the Supreme Court

OFFICE OF THE SECRETARY TO THE PRESIDENT

New Delhi, the 3rd July 1952

No. 49-Pres./52.—The President is pleased to approve the award of the ASHOKA CHAKRA, CLASS II, to the undermentioned for conspicuous gallantry:—

Shri B. B. L. DATTA, Head Clerk, Civil Aviation Department, NAGPUR.

On the 19th February 1952, Deccan Airways Dakota VT-AXE engaged in the night air service, crashed at 0223 hours I.S.T., while approaching to land at the Nagpur aerodrome. On hearing the impact of the crash, Shri B. B. L. DATTA immediately rushed to the scene of the crash, which was approximately 120 yards from his house. The aircraft was in flames and there were shrieks and cries of passengers inside. Notwithstanding the fatal possibility of the explosion of the petrol tanks, Shri Datta immediately set himself single-handed to the task of rescuing the injured persons. He succeeded in saving seven persons from the wreckage and removed them to a safe distance, all at grave personal risk to his life. The tanks blew up after the rescue. It is certain that, but for the timely action of Shri Datta, these persons would have died.

The action of Shri Datta showed conspicuous gallantry, high courage and selflessness of a very high order.

No. 50-Pres./52.—The President is pleased to approve the award of the VIR CHAKRA to the undermentioned officer for gallantry in the operations in Korea:—

Capt. ASHOKE BANERJEE (MR 381), Army Medical Corps.

(Effective date of the award: 8th October 1951.)

Capt. ASHOKE BANERJEE was in charge of a Casualty Clearing Post near MARYANG SAN in the operation "COMMANDO" from 3rd to 8th October 1951. His task during this operation was to collect and evacuate the wounded from the 1st Royal Northumberland Fusiliers and the 3rd Royal Australian Regiment.

On the 5th and the 6th October particularly, this officer had to treat and evacuate more than 150 casualties. Though his Casualty Clearing Post was often under shell-fire of the opposing forces, he worked without any regard for his personal safety, and with tireless energy rendered skilful medical aid to the wounded and speedily arranged their evacuation.

The way this officer carried out his duties during this operation was very commendable. By his calmness and courage, his devotion to duty and his professional skill, he saved many lives.

No. 51-Pres./52.—The President is pleased to approve the award of the ASHOKA CHAKRA, CLASS III, to the undermentioned personnel for gallantry:—

LAXMAN, TOPASS, O. No. 62226 of the Indian Navy.

On the 26th January 1952, the Republic Day, the I.N.S. DELHI having been thrown open to the public of Calcutta for inspection, a huge holiday crowd moved towards the Man-of-War Jetty near which the I.N.S. DELHI was moored. The crowd continued to swell and by about 1400 hours, there was a mammoth gathering on the Jetty and on the approaches to the Jetty. There was a tremendous amount of pushing and jockeying for position to get into the boats which were taking the visitors to the ship.

A surge of the crowd broke through the police cordon and rushed towards one side of the Jetty. The guard rails on the gangway leading to the Jetty gave way and a number of persons were pushed into the river by the uncontrollable crowd.

At the time this tragedy occurred Laxman, Topass, dressed in rig. No. 10 jumped into the river and started rescuing drowning persons in complete disregard to personal safety. Despite the strong and treacherous Hooghly tide, which made his task all the more exacting and difficult, he remained in the water as long as he could and saved single handed at least 7 persons, including women and children. When he finally came out of the water he was completely exhausted. Yet he kept on assisting people in saving more lives.

He showed great initiative, promptitude, presence of mind and complete disregard to his life and thus set an example worthy of the highest traditions of the Service.

2. 45420 Rfn. TILBAHADUR GURUNG, 4 Bn. The Assam Rifles. (POSTHUMOUS).

On 30th March 1951, No. 45420 Rfn. TILBAHADUR GURUNG was returning to MOIRANG KAMPUR CAMP from TAKHEN. He was acting as No. 1 forward Scout to his Section. On reaching a sharp bend, he ran into an ambush of terrorists estimated to be about 15 in number, which was well sited and concealed in the undergrowth.

Rfn. TILBAHADUR GURUNG was grenaded and fired upon from high ground at a very close range. He at once charged the terrorists single handed with sten gun and killed two of them. Unfortunately his sten gun jammed and he was shot dead.

By displaying outstanding courage, gallantry and a keen sense of duty, Rfn. TILBAHADUR GURUNG helped to save the lives of his comrades and in doing so he sacrificed his own life.

D. N. MITRA, Secy. to the President.

PARLIAMENT SECRETARIAT

New Delhi, the 1st July 1952

No. F.1(1)-52/FC.—The following members of the House of the People have been elected to serve on the Committee on Estimates, constituted under Rule 198 of the rules of Procedure and Conduct of Business in the House of the People, during the financial year 1952-53:—

1. Shri M. Ananthasayanam Ayyangar (*Chairman*).
2. Shri B. Shiva Rao.
3. Shri U. Srinivasa Malliah.
4. Pandit Thakur Das Bhargava.
5. Dr. Panjabrao S. Deshmukh.
6. Shri Balvantray Gopaljee Mehta.
7. Shri Nityanand Kanungo.
8. Shri Mohanlal Saxena.
9. Shri R. Venkataraman.
10. Shri Bali Ram Bhagat.
11. Shri Arun Chandra Guha.
12. Shri Upendranath Barman.
13. Pandit Balkrishna Sharma.
14. Dr. Suresh Chandra.
15. Shri Shivram Rango Rane.
16. Shri Radhelal Vyas.
17. Shri Debeswar Sarmah.
18. Dr. Lanka Sundaram.
19. Shri Jaipal Singh.
20. Shri Shankar Shantaram More.
21. Shri Kadyala Gopala Rao.
22. Shri V. Muniswamy Ayl. Thirukuralar.
23. Sardar Lal Singh.
24. Shri Girraj Saran Singh.
25. Shri Sarangadhar Das.

M. N. KAUL, Secy.

ELECTION COMMISSION, INDIA

New Delhi, the 2nd July 1952

No. 19/4/52-Elec.III.—Whereas the election of Shri Ghanashyam of Rohru, Tehsil Rohru, District Mahasu, as a member of the Legislative Assembly of Himachal Pradesh from the Rajgarh Constituency of that Assembly has been called in question by an election petition duly presented under Part VI of the Representation of the People Act, 1951 (XLIII of 1951), by Shri Satya Dev Bushahri of Satya Niwas, Rohru, Tehsil Rohru, District Mahasu;

And Whereas by notification No. 19/4/52-Elec.III dated the 1st April, 1952, the Election Commission appointed Shri H. L. Soni, District and Sessions Judge, Mahasu and Sirmur Districts, to be the Chairman of the election tribunal for the trial of the said petition and further appointed Kasumpti as the place where the trial of the petition shall be held;

And Whereas, the said Shri H. L. Soni has relinquished charge of the office of the Chairman;

Now, Therefore, in exercise of the powers conferred by sections 86 and 88 of the said Act and in supersession of the said notification the Election Commission hereby appoints:—

- (1) Shri Jagan Nath Bhagat, M.A., LL.B., Retired District and Sessions Judge (Punjab),
- (2) Shri Tej Singh, District Judge, Mandi, Himachal Pradesh, and
- (3) Shri Daulat Ram Prem, Advocate, Simla.

as members of the election tribunal for the trial of the said petition and further appoints Shri Jagan Nath Bhagat to be the Chairman of the tribunal so constituted and Simla as the place where the trial of the petition shall be held.

No. 19/1452-Elec.III.—Whereas the election of Shri Padam Dev of Bhamnoli, Tehsil Rohru, District Mahasu, as a member of the Legislative Assembly of Himachal Pradesh from the Rohru Constituency of that Assembly has been called in question by an election petition duly presented under Part VI of the Representation of the People Act, 1951 (XLIII of 1951) by Shri Gian Singh of Badshal, Tehsil Rohru, District Mahasu;

And Whereas by notification No. 19/14/52-Elec.III dated the 1st April, 1952, the Election Commission appointed Shri H. L. Soni, District and Sessions Judge, Mahasu and Sirmur Districts, to be the Chairman of the election tribunal for the trial of the said petition and further appointed Kasumpti as the place where the trial of the petition shall be held;

And Whereas, the said Shri H. L. Soni has relinquished charge of the office of the Chairman;

Now, therefore, in exercise of the powers conferred by sections 86 and 88 of the said Act and in supersession of the said notification, the Election Commission hereby appoints:

- (1) Shri Jagan Nath Bhagat, M.A., LL.B., Retired District and Sessions Judge (Punjab),
- (2) Shri Tej Singh, District Judge, Mandi, Himachal Pradesh, and
- (3) Shri Daulat Ram Prem, Advocate, Simla.

as members of the election tribunal for the trial of the said petition and further appoints Shri Jagan Nath Bhagat to be the Chairman of the tribunal so constituted and Simla as the place where the trial of the petition shall be held.

New Delhi, the 3rd July 1952

No. 19/97/52-Elec.III.—Whereas the election of Shri Shanker Shantaram More of Shivaji Nagar, Poona, as a member of the House of the People from the Sholapur constituency of that House, has been called in question by an election petition duly presented under Part VI of the Representation of the People Act, 1951 (XLIII of 1951), by Shri Krishna Bhimrao Antrollkar of 444, South Kasba, Sholapur;

Now, therefore, in pursuance of the provisions of sections 86 and 88 of the said Act, the Election Commission hereby appoints Shri P. C. Bhatt, District Judge, Poona, to be the Chairman of the election tribunal for the trial of the said petition and further appoints Poona as the place where the trial of the petition shall be held.

P. S. SUBRAMANIAN, Secy.

New Delhi, the 7th July 1952

No. 18/1/51-Elec.III.—Whereas the election of Shri Lallobhai Kishordas Maniar of Sherdi Pith Dela, Harris Road, Bhavnagar, as a member of the Legislative Assembly of Saurashtra has been called in question by an election petition duly presented under Part VI of the Representation of the People Act, 1951 (XLIII of 1951) by Shri Prabhudas Ramjibhai Mehta of Takhteshwar Plot, Surya Mahal No. 1, Bhavnagar, Saurashtra;

And whereas, the tribunal appointed by the Election Commission, in pursuance of the provisions of section 86 of the said Act for the trial of the said petition, has in pursuance of the provisions contained in section 103 of the said Act sent a copy of its order to the Commission;

Now, therefore, in pursuance of the provisions of section 106 of the said Act the Election Commission hereby publishes the said Order of the tribunal.

Before Election Tribunal

ELECTION PETITION NO. 1 OF 1951

Prabhudas Ramjibhai Mehta, caste Hindu, age years 51, occupation business, residing at Takhteshwar Plot, Surya Mahal No. 1-Bhavnagar (Saurashtra) *Petitioner.*

Versus

Lallubhai Kishordas Maniar, caste Hindu, age years 50, occupation business, residing at Sherdi Pith Dela, Harris Road, Bhavnagar (Saurashtra) *Opponent.*

PETITION UNDER SECTIONS 81 AND 100 OF THE REPRESENTATION OF THE PEOPLES ACT, 1951

This is the petition filed by Shri Prabhudas Ramjibhai before the Election Commission at Delhi on 17th December 1951 which was received by the Commission on 20th December 1951 and registered as election petition No. 1 of 1951.

2. Shri Prabhudas Ramjibhai filed nominations before the Returning Officer Talaja-Datha Constituency as candidate for the Election of the Saurashtra Legislative Assembly. The opponent in this case Shri Lallubhai Kishordas also filed his nomination before the said Returning Officer. On scrutiny of nomination papers, the opponent objected to the validity of nomination of the petitioner on the ground that he being a registered stock-holder in Saurashtra in iron and steel he has an interest or share in the performance of services undertaken by the Saurashtra Government and also by reason of his relations with the Saurashtra Government as a registered stock-holder, there is an implied contract between the petitioner and the Saurashtra Government for the performance of services undertaken by the Saurashtra Government, and hence petitioner's nomination is invalid under Section 7(d) of the Representation of the Peoples Act of 1951. The Returning Officer after hearing the parties upheld the said contentions of the opponent and rejected the nominations of the petitioner under Sec. 7 (d) of the said Act.

3. Being aggrieved by the said order of the Returning Officer Ex. 22 in this petition, he filed this petition before the Election Commission at Delhi. Petitioner contends in his petition that the rejection of his nominations is illegal and improper on the ground that the petitioner is not disqualified under Sec. 7 (d) of the Representation of Peoples Act 1951, that Messrs C. Prabhudas & Co., Ltd., Bhavnagar had no contract with the Saurashtra State nor is there any performance of any services undertaken by the Saurashtra State, that the petitioner's company is not doing the said business of iron and steel under any contract to the Saurashtra State nor is he performing any services of the Saurashtra State nor has the Saurashtra State even undertaken any such services. He further contends that for the distribution of iron and steel there is only one centralised legislation for the whole of India and no State has a right to legislate for the same or to make any change therein and therefore the petitioner submits that the Saurashtra Government is not the appropriate Government in this case as mentioned in the order of the Returning Officer.

4. On Petition being filed and admitted by the Election Commission, Delhi this Tribunal is appointed to try the said petition according to the said Act and the petition and the relevant papers were sent here for the said purpose. On receipt of the petition and the papers all the necessary formalities are gone through and the opponent filed his written statement (Ex. 2) on 28th April 1952. Issues were framed on 12th May 1952, which is Ex. 3. Then the parties adduced their documentary as well as oral evidence and have fully argued the case before us through their respective Advocates.

5. The points for the decision before us are:—

1. Is the nomination of the petitioner improperly or illegally rejected? If yes, has such rejection of petitioner's nomination materially affected the election?
2. Is the petitioner disqualified under Sec. 7 (d) of the Representation of Peoples Act 1951?
3. Who has been proved to have appointed or given a contract to the petitioner or and his company as a registered stock-holder in iron and steel; the Central Government or the Saurashtra State? As a result whether the Saurashtra State, becomes the Appropriate Government within the meaning of the said Act?
4. Whether the fact of such appointment as registered stock-holder for distribution in iron and steel makes the petitioner interested in the performance of services undertaken by the Saurashtra State? Has such appointment the effect of disqualifying the petitioner under Sec. 7 (d) of the Representation of Peoples Act 1951?

5. What orders should finally be passed?

6. Now, for the purposes of the decision of these issues and in light of evidence adduced before us, we have to read section 7 of the Representation of the Peoples Act, 1951 and to see whether the petitioner has any share or interest in the performance of any services undertaken by the appropriate Government and to see whether the word "Contract" occurring in section 7(d) applies to all the three clauses mentioned therein, or it applies only to clause 1 and 2 and not 3 of the said Section according to the contentions of the opponent's Advocate. The petitioner's Advocate contended that the word "Contract" applied to all the three subsequent clauses. Now, reading the section as it stands we are of opinion that the word "Contract" applies to all the three clauses namely:—Contract for the supply of goods to, or in a contract for the execution of any works, or

in a contract for the performance of any services undertaken by, the appropriate Government. The opponent's Advocate's contention was that the word "Contract" applied to the first two clauses only i.e., contract for the supply of goods to or for the execution of any works undertaken by the appropriate Government and not to the third clause which is the performance of any services undertaken by the appropriate Government. In our opinion, this contention cannot be upheld. If the intention of the legislature was to include only the first and the second clause for the purposes of the word "Contract" then we should have found in that section some punctuation of either a comma or colon after the words "any works". On the contrary the clauses 2 and 3 are put in a continuous phrase without separating one from the other. The opponent's Advocate further submitted that the word "for" has been put in before the words "the execution of any works" but the word "for" has not been put in before the words "the performance of any services undertaken". This also indicates that the word "contract" applied to the first two clauses and not to third clause. However looking to the construction of section 7 (d) it is clear that after the word "supply of goods to" there is a Comma and then the words "or for the execution of any works or performance of any services undertaken by" come in one stretch showing the word "for" applicable to both these clauses and therefore the words "for" is not repeated in the third clause before the words "the performance of any services" and also there is no punctuation between these two last clauses. And that is why upholding the contention of the petitioner's Advocate we are of the opinion that the word "Contract" in the said section applies to all the three clauses and therefore the candidate standing for election should not have entered into any contract with or should not have any share or interest in such contract with the appropriate Government either for the supply of goods to the appropriate Government or in a contract for the execution of any works or in a contract for the performance of any services undertaken by the appropriate Government. In the light of this, we have to see whether the petitioner has any such relation with the Saurashtra Government. It is admitted that there is no express contract between the petitioner and the Saurashtra Government. It is contended by the opponent that there is an implied contract between the petitioner and the Saurashtra Government by reason of the relations subsisting between the petitioner and Saurashtra Government vis-a-vis Central Organisation for iron and steel set up by the Central Government and by the authorisation of the Central Government, the Saurashtra Government is directed to implement the said, Iron and Steel Distribution Control Act. In a conception of a contract, there is always a volition of parties contracting and also provision for breaches of the terms and conditions agreed to between the parties. In the Iron and Steel Control Order there are no provisions for the breach of the contract but it is a statute which creates offences for breach and for the punishment of such—breaches and everything is being done in conformity with and in pursuance of the said enactment and the rules framed thereunder. And under the circumstances no volition is left to the parties to go against the provisions of the law or the rules made thereunder without incurring the punishment provided therein. And therefore we are of opinion that there is no implied contract between the petitioner and the Saurashtra Government in carrying out or performing the several functions under the Iron and Steel Control Order. It is simply the enforcement of the law enacted and is not the performance of the services as contemplated in Sec. 7 (d) of the Representation of the Peoples Act 1951.

7. Now, the second contention raised by the petitioner's Advocate is that for the purposes of argument even if the implementation of Iron & Steel Control Order is the performance of services undertaken by the appropriate Government, then he submitted that in that case appropriate Government is the Government of India and not the Government of Saurashtra. While the opponent's Advocate contended that even though the Saurashtra Government is implementing the Act of the Central Government and performing various functions under its directions and authorisations of the Central Government, he submitted that even in that contingency, it is the Saurashtra Government which is the appropriate Government contemplated by Section 7 (d) by reason of Saurashtra Government performing certain functions even under the directions of the Central Government. Looking to the working of Controls in iron and steel and looking to the evidence given by Shri Jamnadas (Ex. 35) and of the documentary evidence adduced before us, it is clear that practically the whole of the services from the beginning to the end or substantially the whole duty and performance is under the direct control of Government of India and the Saurashtra Government is simply the local channel for carrying out the provisions of Iron and Steel Control Order.

8. It is clear from the evidence that the stock-holders are registered and appointed by the Central Government and not by the Saurashtra Government. After the registration of the stock-holders, the basic prices of the controlled goods are fixed by the Central Government as shown in Ex. 9. Allocation of quotas to various States are also fixed by the Central Government after calling for requirements of all the States and looking to the producers' capacity to supply. And the various States settle their requirements in different categories in a joint conference of stockists, Government Officers and public workers and still the Government of India has the last say whether to allocate the quota for the full requirement of the State or vary the same. After the allocation of quotas, the Central Government direct the State to ask the stockists to send their indents in specified forms, specimen of which is Ex. 36, and the stockists are informed by the State to fill up the indent forms as per directions received from the Centre and the stockists have to fill the said forms accordingly and send them to the Controller, Government of India, Calcutta, through the Saurashtra Government and then on receipt of the goods from the producers the Saurashtra Government would be informed by the stockists as to the quantity and category of goods received and on such information of the receipt of the goods by the stockists the Government would issue permits to the consumers as per rules.

9. Finally, if the goods received in the quarterly quota by the stockist is not disposed of or sold, the stockist has to inform the State Government to enable him to sell them in the free market and the State Government may either allow him to sell them in the free market or may direct him to sell the goods to sub-depot-holder in any other deficit area. Even in the case when the stockist does not take delivery of the goods indented, the State Government by itself can do nothing but it has to intimate to the Central Government the said fact and it rests with the Central Government what to do. Looking to all these circumstances and actual working it is clear that whatever is done in the matter of control of iron and steel is done under the Iron & Steel Control Order enacted by the Central Government and it is done by and under the directions of the Central Government and the State Governments are merely carrying out the wishes and, directions of the Central Government and it is clear that the appropriate Government did not undertake the performance of any services as contemplated by Section 7 (d) of the Representation of Peoples Act of 1951 but the Government merely controlled the services of supply and distribution in iron and steel already in existence by a piece of enactment called the Iron & Steel Control (of Distribution) Order of 1941 and hence we hold that the services contemplated under section 7 (d), if any, are undertaken by the Central Government and not by the State Government and therefore we hold that the appropriate Government as contemplated in section 7 (d) is the Government of India and not the Saurashtra Government and that is why we uphold the second contention also of the petitioner's Advocate.

10. Now, with respect to issue No. 3, from evidence of Shri Jamnadas Gopaldas Ex. 35 and also from Ex. 8 it is clear that the appointment of the petitioner as stock-holder is made by the Central Government and not by the Saurashtra Government and on this ground as well as on the grounds and reasons discussed above we hold that the appropriate Government as contemplated in section 7 (d) is the Central Government and not the Saurashtra Government in this case.

11. So far as issue No. 4, in view of the evidence before us and in view of the interpretation of sec. 7 (d) we hold that neither the petitioner is interested in the performance of services undertaken by the Saurashtra State nor has he entered into any contract expressed or implied for the performance of any such services undertaken by the Saurashtra State.

12. From the above discussions and findings we are of opinion that the Returning Officer has illegally and improperly rejected nomination of the petitioner in the Talaja-Datha Constituency. Now the point to be considered further is whether by reason of such illegal and improper rejection the election has been materially affected. It is established in several cases that improper rejection of nominations has been held without any affirmative proof to be a material irregularity affecting the result of election and now it has been taken to be settled law that all that the petitioner has to prove to have the election set aside wholly on illegal and improper rejection is to prove that the rejection of nomination was illegal and improper. This proposition of law has also been conceded by the opponent's Advocate. Therefore, we hold that the rejection of nomination of the petitioner has materially affected the election and therefore on all the above grounds, we set aside the election of the opponent Shri Lalubhai Kishordas Maniar from the Talaja-Datha Constituency

for Legislative Assembly of the Saurashtra State and we declare the said election to be void.

13. Now, the petitioner has prayed for the cost of the petition. Looking to all the circumstances and the quantum and nature of work we award Rs. 300 (Rupees three hundred only) as costs including Advocate's cost to be paid by the opponent Shri Lalubhai Kishordas Maniar to the petitioner Shri Prabhudas Ramjibhai Mehta and we further request the Election Commission to return to the petitioner the amount of security of Rs. 1,000 (Rupees one thousand only) deposited by the petitioner with him at the time of the presentation of the petition.

BHAVANAGAR;

Dated 23rd June, 1952.

M. R. UNWALLA, Chairman,
Election Tribunal.
VASANTLAL V. MEHTA, Member.
R. M. JOSHI, Member,
Election Tribunal.
P. S. SUBRAMANIAN,
Officer on Special Duty.

MINISTRY OF FINANCE

New Delhi, the 5th July 1952

No. F.8(4)-B/52.—In exercise of the powers conferred by Section 28 of the Public Debt Act, 1944 (XVIII of 1944), the Central Government hereby directs that the following amendment shall be made in the Public Debt Rules, 1946, the same having been previously published as required by sub-section (1) of the said section, namely:—

In rule 25 of the said Rules, after sub-rule (3), the following sub-rule shall be inserted, namely:—

“(4) If the Public Debt Office is of the opinion that a doubt exists relating to the title to a Government security, it may require the claimant to execute a bond in Form V with one or more sureties approved by the Public Debt Office, or to furnish security not exceeding twice the value of the security, to be held at the disposal of the Bank, to pay to the Bank or to any person to whom the Bank may assign the bond or security, the amount thereof.”

H. S. NEGI, Dy. Secy.

MINISTRY OF FINANCE (REVENUE DIVISION)

INCOME-TAX

New Delhi, the 26th June 1952

No. 43.—In pursuance of Section 15-B of the Indian Income-tax Act, 1922 (XI of 1922) the Central Government hereby withdraws with effect from 1st July 1952 the approval granted to the Shri Ram Institute for Industrial Research, Delhi, in pursuance of the said section by the Notification of the Government of India in the Ministry of Finance (Revenue Division) No. 60-Income-tax, dated the 27th November 1948.

New Delhi, the 30th June 1952

No. 42.—It is notified for general information that the Central Government are pleased to approve the institutions mentioned below for the purposes of sub-section (1) of section 15-B of the Indian Income-tax Act, 1922 (XI of 1922).

Delhi

497. Triveni Kala Sangam (Triveni Art Society), New Delhi.

Punjab

498. Philadelphia Hospital, Ambala.

New Delhi, the 7th July 1952

No. 45.—It is notified for general information that the Central Government are pleased to approve the institutions mentioned below for the purposes of sub-section (1) of Section 15-B of the Indian Income-tax Act, 1922 (XI of 1922).

Madras

499. Tamil Isai Sangham, Madras.

500. Ramakrishna Math Charitable Dispensary, Mylapore.

501. Shree Jain Medical Relief Society, Madras.

S. P. LAHIRI, Dy. Secy.

THE INSTITUTE OF CHARTERED ACCOUNTANTS OF INDIA

(CHARTERED ACCOUNTANTS)

New Delhi, the 7th July 1952

No. 8-CA(1)/52.—In pursuance of clause (3) of Regulation 10 of the Chartered Accountants Regulations, 1949, it is hereby notified that the Certificates of Practice issued to the following gentlemen shall stand cancelled for the period shown against their names, namely:—

S No.	Membership Number	Name & Address	Period during which the Certificate of practice shall stand cancelled
1	2216	Shri Kamalendu Sen, 538/1, Circular Road, Santragachi, Howrah.	16-6-52 to 30-6-53.
2	2015	Shri Mohit Kumar Niyogi, 24, Priyadath Mallick Road, Bhowanipore, Calcutta-25.	1-7-52 to 30-6-53.

S. VAISH, Vice-President.

MINISTRY OF COMMERCE AND INDUSTRY

PUBLIC NOTICE

IMPORT TRADE CONTROL

New Delhi, the 7th July 1952

SUBJECT:—Import policy for July—December 1952—Policy for (i) Coconuts and (ii) Copra and Coconut Kernel.

No. 72-ITC(PN)/52.—In the Red Book for July-December 1952 and in Public Notice No. 61-ITC(PN)/52, dated 16th June 1952, it was announced that the licensing policy for Coconuts; and Copra and Coconut Kernel would be announced later.

2. The following licensing policy for these items has now been decided. The entries given below follow the order of columns in Appendix A of the Red Book:

S. No. 19 Part IV	Coconuts	Ports	100%	Six
S. No. 38 Part IV	Copra and Coconut Kernel.	Ports	100%	Six A.U.

3. Applications for import licences for Coconuts, Copra and Coconut Kernel should be made in the prescribed form and manner.

L. K. JHA, Joint Secy.

New Delhi, the 7th July 1952

No. 4/2-CTB/52.—The President is pleased to direct that the work relating to the South India Textile Research Association (Sitra) shall be transferred from the Ministry of Commerce and Industry to the Ministry of Natural Resources and Scientific Research with effect from the 7th July, 1952.

P. GOVINDAN NAIR, Dy. Secy.

MINISTRY OF FOOD AND AGRICULTURE

Indian Council of Agricultural Research

New Delhi, the 26th June 1952

No. F.27(1)/51-Adn.—Under Regulation 2(iv) of the Regulations of the Standing Finance Committee of the Indian Council of Agricultural Research, the Ministers for Agriculture, West Bengal, and Jammu and Kashmir have been elected as members of the Standing Finance Committee by the Governing Body of the Council, vice Ministers for Agriculture, Bombay, and Patiala and East Punjab States Union for a period of one year with effect from the 8th May 1952.

2. Under Regulations 2(iv) of the Regulations of the Standing Finance Committee of the Indian Council of Agricultural Research, Shri M. P. Gandhi has been re-elected as a member of the Standing Finance Committee by the Governing Body of the Council for a period of one year with effect from the 8th May 1952.

New Delhi, the 28th June 1952

No. F.63(3)/51-Adn.—Under Rules 2(33) (c) and 41(20) of the Rules of the Indian Council of Agricultural Research, Shri K. P. Pande, M.L.A., Madhya Pradesh, has been elected by the Indian Lac Cess Committee as its representative on the Council and its Advisory Board vice Shri S. S. Lal Jayaswal, for a period of three years with effect from the 26th March, 1952 or until such time as he continues to be a member of the Indian Lac Cess Committee, whichever period expires earlier.

J. V. A. NEHEMIAH,

Secy., Indian Council of Agricultural Research,
and ex-officio Dy. Secy.

(Agriculture)

RESOLUTIONS

New Delhi, the 4th July 1952

No. D.3232-Inst/52.—The Governing Body of the Central College of Agriculture, Delhi, set up under the resolution of the Government of India in the late Ministry of Agriculture No. F.33(61)/48-Inst., dated the 25th May 1950 is hereby dissolved.

S. D. UDHRAIN, Under Secy.

CENTRAL BOARD OF FORESTRY

New Delhi, the 7th July 1952

No. F.6-30/51-F.—In partial modification of this Ministry Resolution No. 6-20/49-F., dated the 27th October 1951, the Central Board of Forestry has been reconstituted as follows:—

(1) Central Minister for Food and Agriculture—
Chairman.

2—21: Ministers in charge of Forests of the following States:—

PART 'A'

- (2) Assam.
- (3) Bihar.
- (4) Bombay.
- (5) Madhya Pradesh.
- (6) Madras.
- (7) Orissa.
- (8) Punjab.
- (9) Uttar Pradesh.
- (10) West Bengal.

PART 'B'

- (11) Hyderabad
- (12) Jammu and Kashmir.
- (13) Madhya Bharat
- (14) Mysore.
- (15) Patiala and East Punjab States Union.
- (16) Rajasthan.
- (17) Saurashtra.
- (18) Travancore-Cochin.

PART 'C'

- (19) Bhopal.
- (20) Himachal Pradesh.
- (21) Vindhya Pradesh.

22—26: Chief Commissioner of the following States:—

- (22) Ajmer.
- (23) Coorg.
- (24) Manipur.
- (25) Tripura.

PART 'D'

(26) Andamans.

(27) Secretary to the Government of India, Ministry of Food and Agriculture.

(28) Inspector General of Forests to the Government of India.

(29) President, Forest Research Institute and Colleges, Dehra Dun.

(30) An officer of the Ministry of Food and Agriculture—*Ex-Officio Secretary*.

Chief Conservator of Forests and Secretaries to State Governments may attend along with the Members of the Board representing the States concerned.

K. R. DAMLE, Joint Secy.

MINISTRY OF NATURAL RESOURCES AND
SCIENTIFIC RESEARCH

ADDENDUM

New Delhi, the 7th July 1952

No. M.II-161(5).—In this Ministry's resolution No. M.II-161(5), dated the 4th September 1951 published on page 364 of the *Gazette of India* Part I Section I, dated the 8th September 1951 as amended by this Ministry's Notifications Nos. M.II-161(5), dated the

11th October, 1951; M.II-161(5), dated the 16th February 1952 and M.II-161(5), dated the 20th May 1952 regarding the constitution of a Zinc (Spelter) Committee, after serial No. (6) under the heading 'composition' add the following as serial No. (7) namely:—

"(7) Mr. B. Sen, Mineral Adviser, Agents' Office, Tata Iron and Steel Company Ltd."

T. GONSALVES, Dy. Secy.

MINISTRY OF PRODUCTION

New Delhi, the 8th July 1952

No. FY-16(15).—In the late Ministry of Works, Production and Supply Resolution No. FY-16(15), dated the 13th June, 1952, setting up a committee of management for the Penicillin Bottling Plant, Bombay, in para. 1 under the heading 'Members' for the existing entry 'Shri V. N. Adavi, Accountant General, Bombay' read

'Shri K. R. Aravamuthan, Under Secretary, Ministry of Finance (Industry and Commerce Division), Bombay'.

D. S. BENEGAL, Under Secy.

